

REMARKS

Applicant has carefully reviewed and considered the Office Action of 29 October 2007, including the cited prior art. In response to the Office Action, Applicant makes the following remarks.

Claim Rejections – 35 U.S.C. §102

Claim 1 stands rejected under 35 USC 102 as anticipated by the Martin reference (USP 6,509,913). Applicant respectfully traverses this rejection as claim 1 includes several elements that are neither expressly nor inherently described in the Martin reference. Accordingly, as each and every element as set forth in claim 1 is not found, Martin cannot anticipate claim 1.

The Martin reference does describe techniques for configuring user interfaces for wireless devices. The techniques described include control by a network operator such that replacement, alteration, or customization of the user interfaces by network operators is possible. See Abstract. Specifically, the Background describes that what is needed is “improved techniques for altering man-machine interfaces for wireless devices after being manufactured.” Column 2, lines 12-14.

Claim 1 of the present application requires a first computer executing editor software adapted to “modify a settings management user interface enabling substantially full functionality of settings configuration for an intelligent electronics device”. The Martin reference, however, does not describe either inherently or expressly a settings management user interface enabling substantially full functionality of settings configuration of an intelligent electronics device. Instead, the Martin reference describes an apparatus for centrally managing user interfaces. The apparatus of the Martin reference includes a user interface controller that operates to determine appropriate *screen setup information* for the particular one of the mobile devices, and forward the *screen setup* information to the mobile device so that the mobile device can setup a screen displayed on its display screen. See Martin, Column 3 lines 16-28. The Martin reference does not describe an interface allowing functionality of settings configuration of an intelligent electronics device.

Further, claim 1 requires a second computer with display software to “execute said application design file to cause said customized settings management user interface *to be*

displayed by said second computer". Claim 1, emphasis added. According to the Martin reference, however, it is not the "second computer" that is displaying the screen setup, but it is instead the wireless device. Because the "user interface" for the wireless device is not displayed on the second computer of the Martin reference, the Martin reference cannot describe the claimed limitation that the second computer execute the application design file to cause said customized settings management user interface to be displayed by said second computer. Instead, the Martin reference discloses that the configured user interface is displayed on the wireless device.

While the Office Action correctly states that Applicant discloses that one single computer may execute both the editor software and display software, Applicant also discloses the use of a second computer, and it is the latter, not the former, with which the claim is defined. Accordingly, it is improper to reject the claim on the arguably broader interpretation of the specification vis-à-vis the alleged discloser of Martin when the claim is clearly more limiting.

Though there are several additional claimed elements that are not described by the Martin reference, Applicant respectfully puts forth that those mentioned above are more than sufficient to show that claim 1 cannot be properly anticipated by the Martin reference. Applicant, therefore, kindly asks for removal of this rejection of claim 1.

Claim Rejections – 35 U.S.C. §103

Claims 2-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Martin reference in view of the Zellweger reference (U.S. 6,397,222). Applicant respectfully puts forth that the Office Action does not state a *prima facie* case of obviousness, and further traverses this rejection in that the cited references when combined do not teach or suggest all claimed limitations of any independent claim.

As described above, the Martin reference teaches techniques for configuring user interfaces for wireless devices. See Abstract. The techniques described include control by a network operator such that replacement, alteration, or customization of the user interfaces by network operators is possible. See Abstract. Specifically, the Background describes that what is needed is "improved techniques for altering man-machine interfaces for wireless devices after being manufactured." Column 2, lines 12-14.

Further, the Zellweger reference is drawn toward creating “a self-service content menu that enables individual providers to add menu paths to a content menu and links to their content on a network.” See Abstract. The Zellweger reference suggests using password protection to control what menu changes end users can make. See Abstract.

Claim 2 (Dependent Upon Claim 1)

Claim 2 includes all elements of independent claim 1, which includes several elements or limitations that are neither taught nor suggested by either of the cited references alone or in combination.

For example, by dependency claim 2 requires a first computer executing editor software adapted to “modify a settings management user interface enabling substantially full functionality of settings configuration for an intelligent electronics device”. As discussed above, the Martin reference, however, does not teach or suggest a settings management user interface enabling substantially full functionality of settings configuration of an intelligent electronics device. Instead, the Martin reference describes an apparatus for centrally managing user interfaces. The apparatus described in the Martin reference includes a user interface controller that operates to determine appropriate *screen setup information* for the particular one of the mobile devices, and forward the *screen setup* information to the mobile device so that the mobile device can setup a screen displayed on its display screen. See Martin, Column 3 lines 16-28. The Martin reference does not teach or suggest an interface allowing functionality of settings configuration of an intelligent electronics device.

The Zellweger reference further does not teach or suggest a first computer executing editor software adapted to “modify a settings management user interface enabling substantially full functionality of settings configuration for an intelligent electronics device”. Instead, the Zellweger reference describes a self-service system for organizing information on a network. See Column 2 lines 10-13.

Further, claim 2 requires by dependency a second computer with display software to “execute said application design file to cause said customized settings management user interface *to be displayed by said second computer*”. Claim 1, emphasis added. According to the Martin reference, however, it is not the “second computer” that is displaying the screen setup, but it is instead the wireless device. Because the “user interface” for the wireless device is not displayed

on the second computer of the Martin reference, the Martin reference cannot teach or suggest the claimed limitation that the second computer execute the application design file to cause said customized settings management user interface to be displayed by said second computer. Instead, the Martin reference discloses that the configured user interface is displayed on the wireless device.

The Zellweger reference also does not teach or suggest a second computer with display software to “execute said application design file to cause said customized settings management user interface *to be displayed by said second computer*”.

Because neither of the cited references teach or suggest all claimed elements and limitations of claim 1, the Office Action does not state a *prima facie* case of obviousness for claim 1 or any claim 2 (dependent on claim 1), and Applicant kindly requests reconsideration of these claims.

Independent Claim 3 and Dependent Claims 4-31

Claim 3 and all claims dependent thereon include several limitations that are neither taught nor suggested by either of the cited reference alone or in combination. One such limitation is the step of “in response to detecting a valid request to access the first plurality of graphical user interfaces, causing a first graphical user interface of the first plurality of graphical user interfaces to be displayed, the first graphical user interface of the first plurality of graphical user interfaces including a selectable hierarchical listing of the plurality of configurable IED settings”.

As mentioned above, the Martin reference discusses techniques for configuring user interfaces for wireless devices. See Martin, Abstract. The techniques described include control by a network operator such that replacement, alteration, or customization of the user interfaces by network operators is possible. See Martin, Abstract. Specifically, the Background describes that what is needed is “improved techniques for altering man-machine interfaces for wireless devices after being manufactured.” Column 2, lines 12-14.

The Martin reference does not teach or suggest, however, that the screen setup information be displayed in response to detecting a valid request. The Martin reference further does not teach or suggest that the screen setup information includes a selectable hierarchical listing of the plurality of configurable IED settings. Instead, Martin teaches that the screen setup

may include displays of advertisements, logos, and the like. *See* Martin, Column 6 line 54 – Column 7 line 19.

Further, the Zellweger reference does not teach or suggest the step of “in response to detecting a valid request to access the first plurality of graphical user interfaces, causing a first graphical user interface of the first plurality of graphical user interfaces to be displayed, the first graphical user interface of the first plurality of graphical user interfaces including a selectable hierarchical listing of the plurality of configurable IED settings”.

Claim 3 also requires the step of “in response to detecting a valid request to access the second plurality of graphical user interfaces, causing a first graphical user interfaces of the second plurality of graphical user interfaces to be displayed, the first settings display of the second plurality graphical user interfaces including the application design file for a second modification by a second person of the persons having the second level of access”.

This step is also not taught or suggested by either of the prior art references. Specifically, the Martin reference does not teach that the application design file is displayed *for a second modification*. Instead, the Martin reference teaches that the configured user interface is displayed on the wireless device. No second modification is taught or suggested by the Martin reference.

The Zellweger reference likewise does not teach or suggest this step.

Though there are several additional claimed limitations that are not taught or suggested by the cited references, Applicant respectfully puts forth that those mentioned above are more than sufficient to show that the rejection stated in the Office Action is not a proper *prima facie* case of obviousness. Applicant, therefore, kindly asks for removal of this rejection of claims 3-31.

Independent Claim 32 and Dependent Claims 33-40

Claim 32 and all claims dependent thereon include several limitations that are neither taught nor suggested by either of the cited reference alone or in combination. One such limitation is the step of “in response detecting a valid request to access the first plurality of graphical user interfaces, displaying a first graphical user interface of the first plurality of graphical user interfaces, the first graphical user interface of the first plurality of graphical user

interfaces including a selectable hierarchical listing of a plurality of configurable IED settings associated with the IED”.

As mentioned above, the Martin reference discusses techniques for configuring user interfaces for wireless devices. See Abstract. The techniques described include control by a network operator such that replacement, alteration, or customization of the user interfaces by network operators is possible. See Abstract. Specifically, the Background describes that what is needed is “improved techniques for altering man-machine interfaces for wireless devices after being manufactured.” Column 2, lines 12-14.

The Martin reference does not teach or suggest, however, that the screen setup information be displayed in response to detecting a valid request. The Martin reference further does not teach or suggest that the screen setup information includes a selectable hierarchical listing of the plurality of configurable IED settings. Instead, Martin teaches that the screen setup may include displays of advertisements, logos, and the like. See Martin, Column 6 line 54 – Column 7 line 19.

Further, the Zellweger reference does not teach or suggest the step of “in response detecting a valid request to access the first plurality of graphical user interfaces, displaying a first graphical user interface of the first plurality of graphical user interfaces, the first graphical user interface of the first plurality of graphical user interfaces including a selectable hierarchical listing of a plurality of configurable IED settings associated with the IED”.

Claim 32 also requires the step of “in response to a valid request to access the second plurality of graphical user interfaces, causing a first graphical user interface of the second plurality of graphical user interfaces to be displayed, the first graphical user interface of the second plurality of graphical user interfaces displaying the application design file for a modification by a second person of the persons having the second level of access”.

This step is also not taught or suggested by either of the prior art references. Specifically, the Martin reference does not teach that the application design file is displayed *for a second modification*. Instead, the Martin reference teaches that the configured user interface is displayed on the wireless device. No second modification is taught or suggested by the Martin reference.

The Zellweger reference likewise does not teach or suggest this step.

Though there are several additional claimed limitations that are not taught or suggested by the cited references, Applicant respectfully puts forth that those mentioned above are more than sufficient to show that the rejection stated in the Office Action is not a proper *prima facie* case of obviousness. Applicant, therefore, kindly asks for removal of this rejection of claims 32-40.

Further Remarks

Though the Office Action Summary page indicates that claims 1-40 are pending and claims 1-40 are rejected, many of the claims are not treated in the Detailed Action. The Detailed Action states “Claim 1 is rejected under 30 U.S.C. 102(b) as being anticipated”, and “Claims 2-40 are rejected under 35 U.S.C. 103(a) as being unpatentable”, however several claims and the elements and limitations thereof are not mentioned in the rejection. Applicant, therefore, is devoid of the opportunity to provide evidence of patentability or otherwise reply completely at the earliest opportunity because the rejection has not been clearly articulated. *See* MPEP §706.

The Office Action has not established a case of obviousness for several of the claims. Indeed, for several claims, the Office Action does not mention the elements or limitations therein, or even the claim number except in the statement that “[c]laims 2-40 are rejected...” As stated in both the MPEP and the KSR decision, “[r]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness”. MPEP 2141 *citing* KSR, 550 U.S. at ___, 82 USPQ2d at 1396. Applicant respectfully puts forth that the declaration from the Office Action that “[c]laims 2-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al ... in view of Zellweger” and the brief statements that follow without more constitutes a “mere conclusory statement”, and as such cannot support a rejection based on obviousness. For the 40 pending claims, the Office Action merely briefly describes the Martin and Zellweger references, and lists sections of the references for the Applicant to “please read”. Applicant kindly requests information as to how each element or limitation is found in the cited references or a discussion of the level of ordinary skill and how each element or limitation would have been obvious to one of ordinary skill in the art.

Applicant kindly puts forth that between the response of 17 August 2007 and the present response that Applicant has amended and argued with a view to avoiding all grounds for

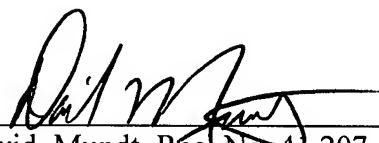
rejection and objection. Applicant respectfully puts forth, however, that the cited references have not been fully applied as most claimed elements and limitations were not mentioned in the Office Actions, much less where the elements and limitations could be found in the cited references. The Office Action also does not establish the level of ordinary skill or make remarks as to how each claimed element and limitation would have been obvious to one of ordinary skill in the art. Accordingly, Applicant requests that any subsequent action *not* be made final.

CONCLUSION

Applicant respectfully submits that in light of the arguments set forth in this response, this application is now in condition for allowance, and requests that a timely Notice of Allowance be issued. However, should Examiner be of the opinion that further amendments or response is required, Applicant encourages Examiner to contact the undersigned attorney at the telephone number set forth below. Further, although no additional fees are believed to be due at this time, the Commissioner is authorized to charge any additional fees or deficiencies or credit any overpayments to Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd., Deposit Account No. 50-1039 with reference to attorney docket number (1444-0002).

Respectfully submitted,

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.

By: 
David Mundt, Reg. No. 41,207

200 West Adams Street
Suite 2850
Chicago, Illinois 60606
(312) 984-0144 (Telephone)
(312) 984-0146 (Facsimile)